IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 464 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE SHARAD D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

JAGDISHBHAI NANUBHAI TEKRAWALA

Versus

MOHMADALI MOHMAD UMAR

Appearance:

1. Appeal from Order No. 464 of 1999

MR MB GANDHI for Petitioner No. 1-4

MRS TRUSHA M GANDHI for Petitioner No. 1-4

RULE SERVED for Respondent No. 1,3-7,9-13,16

DELETED for Respondent No. 2,8,14-15

CORAM : HON'BLE MR.JUSTICE SHARAD D.DAVE

Date of decision: 03/11/2003

ORAL JUDGEMENT

Heard Mr.M.B.Gandhi learned advocate for the appellants. Some of the defendants of Special Civil Suit no. 437/92 have filed this appeal from order against the order of the learned Civil Judge (S.D.), Surat confirming the ad-interim injunction granted on 02.08.1992 by passing order on 07.08.1999.

From the record it appears that respondent no. 1, 3 to 7, 9 to 13 and 16 are served whereas respondent no. 2,8,14 and 15 are deleted vide order dated 29.04.2002. Along with the appeal from order, the appellants have also filed civil application for interim relief, wherein this court has refused interim relief and disposed of the civil application.

I have perused the order of the trial court. Though a number of contentions have been raised in this appeal from order, the order of the trial court is very much perfect and requires no interference of this court. The special civil suit is of year 1992 and we are in the end of year 2003. Therefore also, in view of the fact that there is no stay granted, it is the duty of this court to see that matter is disposed of as early as possible. Accordingly this appeal from order is dismissed. The trial court is hereby directed to see that matter is disposed of as early as possible.

(SHARAD D DAVE, J)

srilatha